

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JESSICA DURKIN, Plaintiff  v.  PACCAR, INC., et al. Defendants	Civil Action No. <b>1:10-cv-02013-JHR-AMD</b>  <b>NOTICE OF WABASH NATIONAL CORPORATION'S MOTION TO EXCLUDE THE TESTIMONY OF BROOKS RUGEMER</b>
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**PLEASE TAKE NOTICE** that defendant, Wabash National Corporation, through its attorneys, Ward Greenberg Heller & Reidy LLP, on August 20, 2012, or as such time as otherwise directed by the Court, will move the United States District Court for the District of New Jersey, Camden Vicinage, Mitchell H. Cohen U.S. Courthouse, 1 John F. Gerry Plaza, Camden, New Jersey, before the Honorable Joseph H. Rodriguez, to exclude the testimony of Brooks Rugemer. The grounds of this motion are that his proposed testimony is inadmissible under the Federal Rules of Evidence 702 and 403, *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, and subsequent cases.

Defendant, Wabash National Corporation, will rely upon the annexed Brief and Certificate of Counsel in support of this motion. For the reasons set forth therein, entry of an Order in the form attached is warranted.

Defendant, Wabash National Corporation, requests oral argument.

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